

UNITED STATES DISTRICT COURT/SOUTHERN DISTRICT

NEW YORK COUNTY

ATTORNEY(S): : PH:
ADDRESS: File No.: 57552

Index #: 06 CV 5629
Date Filed: July 26, 2006
Court Date:
Assigned Justice: JUDGE CROTTY

ONE BEACON INSURANCE COMPANY, ET AL

vs.

COMBINED ENERGY SERVICES, INC.

Plaintiff(s)/Petitioner(s)

Defendant(s)/Respondent(s)

STATE OF NEW YORK, COUNTY OF DUTCHESS SS.:

LYNN TEALE, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in New York State. On August 3, 2006 at 3:35 PM, at 216 EAST BROADWAY, MONTICELLO, NY., 12701, deponent served the within

SUMMONS IN A CIVIL CASE

with Index Number 06 CV 5629, and Date Filed July 26, 2006, endorsed thereon, on: COMBINED ENERGY SERVICES, INC., Defendant therein named.

- #1 INDIVIDUAL ☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.
- #2 CORPORATION ☒ By delivering to and leaving with JAMIE DEFRANK and that deponent knew the person so served to be Managing Agent of the corporation, and authorized to accept service on behalf of the corporation.
- Service was made in the following manner after your deponent was unable, with due diligence, to serve the witness/defendant in person, and an attempt to locate the defendant's place of employment.*
- #3 SUITABLE AGE PERSON ☐ By delivering a true copy of each to a person of suitable age and discretion. Said premises is recipient's ☐ actual place of business ☐ dwelling house (usual place of abode) within the state.
- #4 AFFIXING TO DOOR ☐ By affixing a true copy of each to the door of said premises, which is recipient's ☐ actual place of business ☐ dwelling house (place of abode) within the state.
- #5 MAIL COPY ☐ On _____, deponent completed service under the last two sections by depositing a copy of the _____ to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York. Certified Mail No. _____
- Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat on the _____ day of _____ at _____
on the _____ day of _____ at _____
on the _____ day of _____ at _____
on the _____ day of _____ at _____
- #6 NON-SRVC ☐ After due search, careful inquiry and diligent attempts, I have been unable to effect process upon the person/entity being served because of the following: ☐ Unknown at Address ☐ Evading ☐ Moved left no forwarding ☐ Address does not exist ☐ Other: _____

#7 DESCRIPTION ☒ A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:
(use with #1, 2 or 3) Sex Female Color of skin White Color of hair Brown Age 21 - 35 Yrs. Height 5' 4" - 5' 8"
Weight 100 - 130 Lbs. Other Features: _____

#8 WIT. FEES ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.

#9 MILITARYSRVC ☐ Deponent asked person spoken to whether the reponent/defendent was presently in military service of the United States Gov't or of the State of N.Y. and was informed that Respondent/Defendent was not. Recipient wore ordinary civilian clothes and no military uniform.

#10 OTHER ☐

Sworn to before me on this 7 day of August, 2006

LEO T. LA PRADE, JR.
NOTARY PUBLIC, State of New York
No. 01LA4961013, Dutchess County
Term Expires January 8, 2010

LYNN TEALE

Server's Lic #

Invoice•Work Order #9956175